

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

NAKIA PHILLIPS,

Defendant.

Cause No. 4:17-cr-00273-RLW-DDN

**MOTION TO CONTINUE EVIDENTIARY HEARING ON DEFENDANT'S
SUPPRESSION MOTION**

COMES NOW Defendant Phillips by and through Counsel Robert Herman, and
for his motion to continue hearing states the Court as follows:

1. The Evidentiary Hearing is currently set for September 19, 2017.
2. Defendant's counsel is unavailable on September 19, 2017 due to Oral Argument at the Supreme Court in Jefferson City, Missouri in the matter of Susan Gall v. Russell Steele.
3. Defendant's counsel is unavailable on September 20, 2017 due to Oral Argument at the Eighth Circuit Court of Appeals in St. Louis, Missouri in the matter of Michael Banks v. Francis Slay.
4. Counsel Herman requires additional time to meet with Defendant Phillips in order to prepare for the Evidentiary Hearing.
5. Defendant Phillips requests the hearing be continued eight (8) days until September 27, 2017.

WHEREFORE, Defendant prays this Court continue the Evidentiary Hearing eight (8) days until September 27, 2017 and for any such further relief this Court deems just and proper.

Respectfully submitted,

SCHWARTZ, HERMAN & DAVIDSON

By: /s/ Robert Herman
Robert Herman, Bar No. 32376MO
8820 Ladue Road, Suite 201
St. Louis, Missouri 63124
Ph: (314) 862-0200
Fx: (314) 862-3050
bherman@laduelaw.com
Attorney for Defendant, Nakia Phillips

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on August 29, 2017, the foregoing was filed electronically with the Clerk of the Court to be served by operation of the Court's electronic filing system to the counsel of record.

By: /s/ Robert Herman